

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO. : 09/900,675 CONFIRMATION NO.: 6696  
APPLICANT : Ekstrom, Richard M CUSTOMER NO : 36829  
FILED : July 6, 2001  
ART UNIT : 3622  
  
DOCKET NO : 123/1

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**REFUND REQUEST**

**DEPOSIT ACCOUNT NO: 50-2716**

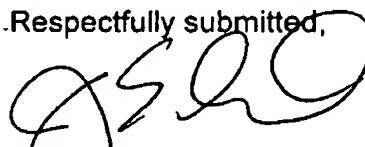
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir and Madam:

On April 3, 2007 the undersigned filed a Notice of Appeal in reference to the examiner's office action dated January 3, 2007. April 3, 2007 was the first response due date with no Extension of Time fees required and a certificate of mailing was signed and dated April 3, 2007, as shown on the attached copy of the notice.

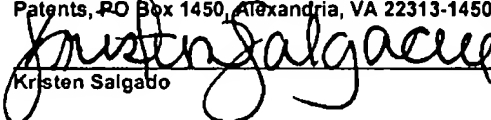
Therefore, please credit my Deposit Account No. 50-2716 in the amount of \$60.00 as a refund toward the One month Extension of Time fee. If you have any questions, please contact me.

Respectfully submitted,

  
Jeffrey J. Schwartz  
Attorney for Applicant  
Reg. No. 37,532

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: May 18, 2007.

  
Kristen Salgado

May 18, 2007  
Date

# NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

123/1

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on April 3 2007Signature Kristen B. SalgadoTyped or printed name Kristen B. Salgado

In re Application of

Richard M. Ekstrom

Application Number

09/900675

Filed

July 6 2001For SYSTEM AND METHOD FOR RETAINING MEMBERSHIP...

Art Unit

3622

Examiner

Jean D. Janvier

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 250.00

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2716. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

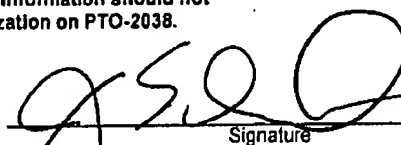
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.  
Registration number 37532



Signature

Jeffrey J. Schwartz

Typed or printed name

704/552-1889

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

April 3 2007

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAILSTOP: Deposit Acct. Date: 5-18-2007  
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